



**NOTICE OF COURT DECISION AFFECTING THE PORT  
OF LOS ANGELES CLEAN TRUCK PROGRAM  
EFFECTIVE SEPTEMBER 26, 2011**

On September 26, 2011, the U.S. Court of Appeals for the Ninth Circuit affirmed in part, and reversed in part, the U.S. District Court trial judgment in favor of the City and Port of Los Angeles in the *American Trucking Associations (ATA) v. City of Los Angeles* lawsuit. The Ninth Circuit court affirmed that all provisions of the Port of Los Angeles concession agreement are enforceable except for one, reversing the decision on the employee driver requirement, which was permanently enjoined. **As a result the City shall refrain from enforcing the employee driver provision.** The Court has allowed all other Concession Agreement requirements to be enforced other than the employee driver requirement. Do not hesitate to contact the Port of Los Angeles through the Clean Truck Program help line 866-721-5686 or email to [ctp@tetrattech.com](mailto:ctp@tetrattech.com) if you have any further questions.